

EXHIBIT A

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September 18, 2007

Via Facsimile

Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
MOUNT & STOELKER PC
River Park Tower, Suite 1650
333 W. San Carlos
San Jose, CA 95110

Re: *Verigy US, Inc. v. Romi Omar Mayder, et al.*
USDC, N. District of Calif., Case No. C07 04330 RMW (HRL)

Dear Messrs. Mount and Pasquinelli:

We write to begin the process of meeting and conferring, pursuant to Rule 37 of the Federal Rules of Civil Procedure and Rules 1-5(n) and 37-1(a) of the Civil Local Rules for the United States District Court for Northern District of California, concerning deficiencies in the responses to requests for production of documents by defendants Romi Mayder and Silicon Test Systems, Inc. ("STSI"), respectively. As discussed and set forth in detail below, Romi Mayder's and STSI's responses to production requests nos. 10, 17, and 22-23 and 24 propounded plaintiff Verigy US, Inc. ("Verigy") are all deficient. In addition, there are a number of global problems with your production which we would like you to correct.

1. Request No. 10

Verigy's respective requests for production no. 10 require Romi Mayder and STSI to produce "[a]ll COMMUNICATIONS between YOU and Verigy's existing or potential customers, clients or suppliers with whom YOU came into contact, or whose identities were learned, solely as a result of employment with VERIGY."

Romi Mayder and STSI each respond that "[a]ny communications with existing Verigy customers, clients or suppliers were contacted outside the scope of Verigy employment," and thus: "*No documents will be produced.*" (Emphasis added).

Romi Mayder's and STSI's response do not correspond with the respective requests. Verigy is not asking for communications with existing or potential customers, clients or suppliers contacted *within the scope of Mayder's employment with Verigy.*

ANTHONY M. GLASSMAN
BEVERLY HILLS, CA 90210

AFFILIATED COUNSEL:
BERGESON & CAMPBELL
WASHINGTON, D.C. 20005

MARK E. FOSTER
SAN JOSE, CA 95110

BERGESON, LLP

Daniel S. Mount, Esq.
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Page 2

Verigy seeks all communications with existing or potential customers, clients or suppliers "with whom Mayder [and STSI] came into contact, or whose identities were learned, solely as a result of employment with VERIGY." The responses are thus non-responsive, and the concomitant refusal to produce any responsive documents is indefensible. Please amend the responses and agree to produce responsive documents and produce such documents forthwith.

2. Request No. 17

Verigy's respective request for production No. 17 require Romi Mayder and STSI to produce "[a] bit for bit copy (in machine readable form) of all hard drives of all computers, including, but not limited to, desktop computers, laptop computers, USB memory devices, PDAs, and other memory storage devices that have been or are currently used by YOU."

Romi Mayder and STSI object to the request on the grounds that it is "exceedingly overbroad" and "unlikely to lead to relevant information" and that such response "would leave unprotected all data privileged, confidential, work product protected, and private information, as well as private personal information." Romi Mayder and STSI each accordingly refuse to make a responsive production: "*Bit for bit copies of the digital devices will not be produced.*" (Emphasis added.)

Romi Mayder's and STSI's refusal is inappropriate. When a party agrees to produce, or is ordered to produce, electronic documents as maintained in the ordinary course of business, the documents should be produced with metadata intact. Schwarzer, Tashima & Wagstaffe, *California Practice Guide: Civil Procedure Before Trial* (2007), ¶11:1862.

Further, Mr. Pasquinelli specifically agreed in a conversation with Verigy attorneys Jay Fowler, Michael Stebbins and Mindy Morton of this office on August 29, 2007 that such bit for bit copies, or otherwise stated a mirror image of his hard drive, would in fact be produced. This was confirmed by Ms. Morton in an e-mail dated August 30, 2007. Subsequently, Mr. Pasquinelli contended he had misunderstood the Court's August 24, 2007 order and advised us that the defense would not be producing the bit for bit copies. Yet, there was no misunderstanding. The Court's order only requires preservation of the hard drive. Therefore, counsel's renegeing on the prior agreement to produce a mirror image of the hard drive is indefensible.

Romi Mayder and STSI contend that certain files do not exist or have been destroyed, which is all the more reason to see a mirror image of the hard drive. Verigy is

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Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
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in possession of various communications authored by Romi Mayder showing that that he has actively engaged in a pattern of altering documents and concealing the truth about certain events. As Magistrate Judge Lloyd has said, in such circumstances, "where data is likely to be destroyed," it is appropriate for a mirror image of the relevant computer hard drive to be produced. *Memry Corp. v. Kentucky Oil Technology, N.V.*, 2007 WL 832937 (N.D. Cal. March 19, 2007) (Lloyd, M.J.), citing, *Ameriwood Industries, Inc. v. Liberman*, 2006 WL 3585291 (E.D.Mo. December 27, 2006); see also, Schwarzer, Tashima & Wagstaffe, *supra*, ¶ 11:1874.

Accordingly, please amend the responses to Request No. 10 and produce the mirror image of the hard drive forthwith.

3. Requests Nos. 22 and 23

Verigy's respective requests for production nos. 22 and 23 require Romi Mayder and STSI to produce "[a]ll provisional patent applications filed with the United States Patent and Trademark Office ("USPTO") after May 1, 2006 listing YOU as an inventor," and "[a]ll COMMUNICATIONS between YOU and the USPTO REFERRING OR RELATING TO provisional patent applications filed with the USPTO after May 1, 2006 listing YOU as an inventor."

Romi Mayder and STSI object to these requests, asserting that Verigy has not demonstrated the "heightened relevancy standard" of a "clear showing of relevancy of [the] application to issues involved in the present litigation" and suggesting that such application would only be "tangential" to issues of ownership involved in the action. Romi Mayder and STSI have refused to produce any responsive documents. Yet, it is difficult to conceive a scenario where patent applications could be more centrally and inextricably linked to the issues in this lawsuit. Romi Mayder and STSI have allegedly misappropriated Verigy trade secrets and confidential information, and are allegedly unfairly competing with Verigy. The timing and content of any patent applications made by Romi Mayder or STSI are pivotal to the issues in this lawsuit.

Indeed, Romi Mayder and STSI have agreed to produce documents relating to a specific patent application in response to Requests for Production Nos. 19-21. There is no basis for him to assert a different standard regarding Requests Nos. 22-23 concerning any other patent applications Romi Mayder or STSI may have filed or been listed on. Any such patent applications necessarily relate to memory chip testing, the relevant technology in this case, because that is the only business that Romi Mayder and STSI are involved in. Accordingly, please amend the responses to Requests Nos. 22-23 and produce responsive documents forthwith.

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Kevin M. Pasquinelli, Esq.
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4. Request No. 24

Verigy's Request for Production No. 24 requires Romi Mayder and STSI to produce "[a]ll DOCUMENTS YOU downloaded from ANY VERIGY computer REFERRING OR RELATING to VERIGY'S operations and products."

STSI responds that it cannot locate any such documents. However, Romi Mayder objects that producing responsive documents would be "enormous and unrelated to the existing dispute" since Mayder worked on various projects while at Verigy and that any downloading was pursuant to his employment at Verigy. Romi Mayder accordingly refuses to produce any documents: "No documents will be produced."

It is ironic, and of considerable concern to Verigy, that Romi Mayder is taking a position that he remains in possession of such a considerable quantity of documents downloaded from a Verigy computer that production thereof would be "enormous" and, by implication, onerous. Romi Mayder was obliged, pursuant to his employment agreement and confidentiality agreement to return all Verigy documents to Verigy upon termination of his employment. As such, he should *not* be in possession of any Verigy documents, let alone such a vast quantity that production of copies of such documents would be onerous. Thus, any burden imposed by this request is necessarily *not* an unfair one but instead a burden of Romi Mayder's own making. Accordingly, please amend Romi Mayder's response to Request No. 24 and produce responsive documents forthwith.

5. Global Production Problems

There are three persistent or "global" problems which pervade your production: (1) the majority of the emails produced are missing attachments; (2) it appears that all of the documents in your production, without exception, are marked "Highly Confidential," and (3) there are a numerous documents missing Bates numbers or which contain duplicate Bates numbers.

First, by producing emails without the attachments you are not fully responding to the document requests. Even if the attachments are found elsewhere in the production, Verigy has no way of discerning which attachments go with which emails. My colleague Mindy Morton sent you an email on September 12 asking you to remedy this problem as soon as possible, but you have not responded. We have on Verigy's behalf expended significant time and resources to review the numerous emails produced by defendants and we will have to re-review these emails with the attachments once they are properly

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Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
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Page 5

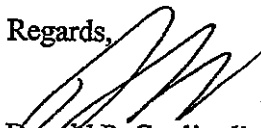
produced. Accordingly, please re-produce these emails with the associated attachments by September 24, 2007 in paper format. In addition, please produce just one copy of the emails so that Verigy is not forced to waste further time and resources re-reviewing numerous duplicates.

You have designated every page of the approximately 50,000-page production as "Highly Confidential." Pursuant to section 5.1 of the Stipulated Protective Order, "Mass, indiscriminate, or routinized designations are prohibited. Designations that are shown to be clearly unjustified, or that have been made for an improper purpose (e.g., to unnecessarily encumber or retard the case development process, or to impose unnecessary expenses and burdens on other parties), expose the Designating Party to sanctions." Therefore, please review your production and inform Verigy of the proper designations for the documents by September 24, 2007.

Finally, we've located the following problems with the Bates numbering of your production. The Bates ranges SITES006573-6668 and SITES006675-6999 are missing. We were unable to print SITES005483-5516. Further, SITES006221-6268 was used twice and SITES006269-6316 was used three times. Please remedy these problems by September 24, 2007.

In closing, unless you are prepared to accede in full to the requests made in this letter, we propose a telephone conference call to further the meet and confer process. Please advise as to your availability for a call on or before Thursday, September 20, 2007.

Regards,


Donald P. Gagliardi

DPG:gs

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FACSIMILE COVER LETTER

September 18, 2007

TO: Daniel S. Mount, Esq.
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FIRM: MOUNT & STOELKER PC
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FACSIMILE #: 408.998.1473
CLIENT #: 9017.002
SUBJECT: *Verigy US, Inc. v. Romi Omar Mayder, et al.*
FROM: Donald P. Gagliardi, Esq.
RETURN TO: Gail Simmons

TOTAL NUMBER OF PAGES INCLUDING COVER LETTER: 6

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FACSIMILE COVER LETTER

September 18, 2007

TO: Daniel S. Mount, Esq.
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EXHIBIT B

From: Kevin M. Pasquinelli [mailto:kpasquinelli@MOUNT.com]
Sent: Thursday, September 20, 2007 9:58 AM
To: Donald P Gagliardi
Cc: Daniel S. Mount; Michelle McManus; Kevin M. Pasquinelli
Subject: Meet and Confer Letter

Mr. Gagliardi,

I am in receipt of your meet and confer letter in the matter of *Verigy US, Inc. v. Romi Omar Mayder, et al.* As your firm is aware Mr. Mount is out of the office on a personal trip until September 25, 2006, and is unlikely to be available to comment on your letter. I will endeavor to communicate with him, but cannot assure such until his return. I will submit to you a formal response no later than his return, hopefully sooner.

Until that time please accept the following good faith efforts related to your production concerns that I will work on immediately:

1. I will reproduce email communications with their attachments immediately following. I will attempt to minimize any duplicate production, but since email systems tend to reproduce email regularly (sent items, deleted items, etc) I feel it would be inappropriate to filter what I cannot be certain is a duplicate. I will send these to you in .pdf. You can choose to print what you feel is appropriate as only you can determine which documents will be of use to you.
2. I will check into your concerns about being unable to print certain documents. Some of the documents were codeworded for security purposes by other entities. I will see what can be done.
3. I will check the missing and overlapping Bates codes and send you a communication on whether any changes are necessary, or if you are missing any production.

Regards,

Kevin Pasquinelli

Kevin Pasquinelli, Esq.

Mount & Stoelker P.C.
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EXHIBIT C

BERGESON, LLP

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September 24, 2007

Via Facsimile

Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
MOUNT & STOELKER PC
River Park Tower, Suite 1650
333 W. San Carlos
San Jose, CA 95110

Re: *Verigy US, Inc. v. Romi Omar Mayder, et al.*
USDC, N. District of Calif., Case No. C07 04330 RMW (HRL)

Dear Messrs. Mount and Pasquinelli:

This follows up on my previous letter. We have additional concerns regarding the documents by defendants Romi Mayder and Silicon Test Systems, Inc. ("STSI"), respectively.

- (1) We have not received any emails from Romi Mayder's yahoo email address, romi.mayder@yahoo.com. Please either produce responsive emails from such address immediately or advise in writing that none exist.
- (2) Although we have received copies of emails between Romi Mayder and Wes Mayder resident on Wes Mayder's computer, we have not received any such emails from Romi Mayder's computer. Please produce all responsive emails between Wes Mayder and Romi Mayder from the latter's computer.
- (3) Although we understand that Romi Mayder conducted STSI business on his wife's email address, we have not received any emails from such address. Please either produce responsive emails from such address immediately or advise in writing that none exist.
- (4) We are concerned that Romi Mayder may have stored emails from his STSI account online with Network Solutions rather than on his computer. Please either produce responsive emails so stored immediately or advise in writing that none exist.

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Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
September 24, 2007
Page 2

Further, no responsive documents appear to have been produced in response to certain enumerated document requests, nos. 5-6, 7, 16, 18-20, and 23.

Requests Nos. 5-6. There appears to be almost nothing predating September 22, 2006 relating to memory testing or otherwise (relating to anything at all). If indeed no such documents exist, it is inconceivable how a provisional patent application could have been prepared dated less than a week later, on September 28, 2006.

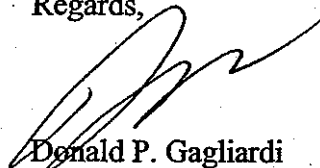
Request No. 7. There appears to be no communications between Romi Mayder and Bob Pochowski dated prior to September 22, 2006. Again, this is inconceivable.

Requests Nos. 16, and 18-20. There appears to be very little documentation referring to the Picasso ASIC and almost nothing regarding its development. Moreover, there are no notes of Mr. Mayder's meetings with his prospective suppliers and customers both before and after September 22, 2006, except for some meetings referenced in lab notebook 1001. We believe Mr. Mayder took details notes of all such meetings.

Request No. 23. We appear to be missing the file wrappers for STS's patents.

We request that these issues also be discussed during our meet and confer call tomorrow afternoon, Tuesday September 25.

Regards,



Donald P. Gagliardi

DPG:gs

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FACSIMILE COVER LETTER

September 24, 2007

TO: Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
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FACSIMILE #: 408.998.1473
CLIENT #: 9017.002
SUBJECT: *Verigy US, Inc. v. Romi Omar Mayder, et al.*
FROM: Donald P. Gagliardi, Esq.
RETURN TO: Gail Simmons

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FACSIMILE COVER LETTER

September 24, 2007

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TELEPHONE #: 408.279.7000
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CLIENT #: 9017.002
SUBJECT: Verigy US, Inc. v. Romi Omar Mayder, et al.
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EXHIBIT D

MOUNT & STOELKER, P.C.
ATTORNEYS

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Donald P. Gagliardi, Esq.	Kevin Pasquinelli, Esq.
COMPANY:	DATE:
Bergeson, LLP	SEPTEMBER 25, 2007
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RE:	YOUR REFERENCE NUMBER:
Verigy v. Mayder, et al	

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NOTES/COMMENTS:

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September 25, 2007

Via Facsimile

Donald P. Gagliardi
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San Jose, CA 95110

Re: *Verigy US, Inc. v. Romi Omar Mayder, et al.*
USDC, N. District of Calif., Case No. C07 04330 RMW (HRL)
Our File No.: SITES001

Dear Mr. Gagliardi,

Thank you for your letter beginning the process of meeting and conferring, pursuant to Rule 37 of the Federal Rules of Civil Procedure and Rules 1-5(n) and 37-1(a) of the Civil Local Rules for the United States District Court for the Northern District of California, concerning alleged deficiencies in responses to request for production of documents by defendants Romi Mayder and Silicon Test Systems, Inc. ("STSI"), respectively. While there were some minor production concerns, which have since been addressed, your characterization of Defendants' responses to production requests nos. 10, 17 and 22-23, and 24 as deficient are unfounded. There is strong law and facts supporting each response, which I discuss *infra*.

Request No 10 [Propounded on both Mayder individually and STSI]

As stated in your letter "Verigy seeks all communications with existing or potential customers, clients, or suppliers' with whom Mayder [and STSI] came into contact, or whose identities were learned, *solely as a result of employment with Verigy.*" As stated in our response "no communications exist between ROMI [Mayder] and 'Verigy's existing or potential customers, clients or suppliers with . . . whose identities were learned solely as a result of employment with Verigy.'" Mr. Mayder has been in the semiconductor test market for almost fifteen (15) years, seven (7) before employment with Verigy. Over this time, Mr. Mayder has made hundreds of contacts in the industry, none solely as the result of his employment with Verigy. In addition, STSI has successfully sought out many contacts in the industry entirely separate from Verigy.

Donald P. Gagliardi
September 25, 2007
Page 2

Request No. 17 [Propounded on both Mr. Mayder individually and STSI]

You express concerns with Defendants' response to Request No. 17, which refuses to produce a bit for bit copy of the disk drives of STSI and Mr. Mayder. You make two objections, (1) that documents should be produced with metadata in tact, and (2) that documents have been destroyed. Both arguments ignore existing law and make accusations that are unfounded.

First, as articulated in the actual production of documents, Defendants are squarely within their rights for such an objection. The existing production was done in .pdf under FRCP 34, in compliance with the courts order, our protective order, and the duty to our clients.

Under Rule 34, the requesting party may request that ESI be produced in a particular format. If the RFP does not specify a format, then the producing party may choose the format for production — including native formats, PDF, paper, or any other format that is "reasonably usable". In the current RFPs a specific form is not requested for ESI.

The confidentiality protective order in this action requires that matter designated as confidential or attorneys-eyes-only be so marked on every page. The protective order does not contemplate the production of confidential ESI that is not marked on every page. Marking each page of ESI any native file format will require modification of the native file. It is therefore "not possible" to produce the native file formats and remain in compliance Rule 34 and this court's orders at the same time.

The cheapest and most convenient form of production is in portable document format (PDF). PDF readers are very common and come installed on most computers available today. Also, Verigy's counsel is required by local rule to have software capable of reading ESI in PDF form. We may, therefore, safely assume that Verigy and its counsel have such software. PDF format is therefore "reasonably usable" to the requesting party.

We also understand that for some files you may wish to obtain additional meta data not included in the produced file. We will work with you to obtain this as is appropriate and possible.

Furthermore, contrary to the allegations, Defendants make no assertion that documents have been destroyed. Defendants have made repeated and continuous assurances (both written and oral) that Mr. Mayder and STSI's disk drives have been copied, as per opposing counsel's request, and remain in the possession of Mount & Stoelker or a neutral third party computer forensic specialist. Therefore, no information or data has been destroyed, and there is no risk of losing evidence.

Donald P. Gagliardi
September 25, 2007
Page 3

Request Nos. 22 and 23 [Propounded o both Mr. Mayder individually and STSI]

You appear to make two arguments in response to the heightened relevancy standard; (1) that there is no basis to assert a different standard than that asserted in requests Nos. 19-21, (2) that because STSI exists and is in the semiconductor testing business any patents filed by it must be relevant.

Concerning your first argument, Defendants have the choice to assert or not assert their rights. Therefore, whether Defendants asserted their rights in response to requests nos. 19 through 21 is immaterial regarding the validity of a heightened standard for request nos. 22 and 23.

Your second argument claims that "it is difficult to conceive a scenario where patent applications could be more centrally and inextricably linked." In fact, such a scenario exists in this case. Any patent applications that have been filed by Mr. Mayder, or STSI, not produced in response to nos. 19 through 21, do not claim priority or continuation from Provisional Patent Application Serial No. 60/827,253 entitled "Universal ASIC for Doubling ATE Resources" filed September 28, 2006 or any subsequent utility patent application based on that provisional.

Your argument continues, stating that "any such patent applications necessarily relate to memory chip testing." The central dispute in the case is not whether STSI has invented something new in "memory chip testing," but whether STSI is using Verigy trade secrets. As plead, STSI is not using Verigy trade secrets in its products or patent applications.

Request No. 24

You argue that it is of considerable concern to Verigy that Mr. Mayder remains in possession of a considerable quantity of documents downloaded from a Verigy computer. The response said that no documents would be produced. It did not say that such documents were in the possession of Mr. Mayder. To the extent that the response might be ambiguous or misinterpreted, I will clarify.

Since there was no date range specified, the scope encompassed was well beyond Verigy confidential documents pertaining to memory test (could include any publicly available documents related to Verigy), and could apply to any document downloaded by Romi since his birth, we objected that a search for such would be clearly overbroad. This was in no way intended to imply that Mr. Mayder was in possession of a vast quantity of such content, merely that even considering such a search was improper.

To the extent that this response left you unsatisfied, know that Mr. Mayder has returned and produced all Verigy confidential documents as per requests 1 through 4. Mr. Mayder has complied fully with the temporary restraining order as responded to in interrogatory no. 6. Subsequent to the original response, Mr. Mayder has completed a diligent search for any such documents that is currently within his custody or control and

Donald P. Gagliardi
September 25, 2007
Page 4

has found no documents that have not already produced. Therefore, no additional documents will be produced.

Production Problems

You state three minor concerns; (1) that emails are missing attachments, (2) that all documents are marked "HIGHLY CONFIDENTIAL," and (3) that there are some minor concerns with Bates codes on a few pages out of fifty thousand. I address each in turn.

First, all emails produced have been produced with attachments, albeit that they may not be attached directly following the original email. To the extent that attachments remain together with the underlying email and can be produced together (e.g. one immediately following the other) I will do such by September 26, 2006, on a CD ROM in pdf as previously communicated. Also, as previously mentioned it is not possible to ensure that there will never be a duplicate production of an email as emails are commonly copied in multiple directories. These documents are numbered 50,201 to 50,884, inclusive.

Second, the documents are marked HIGHLY CONFIDENTIAL because they contain STSI trade secrets, the trade secrets of third parties under which STSI has confidentiality agreements, or alleged Verigy trade secret or confidential content. This really leaves nothing else in the production. If there are specific Bates codes where you feel such a protection is improper that you would like to have changed, please request such.

Third, you expressed concerns over specific Bates codes.

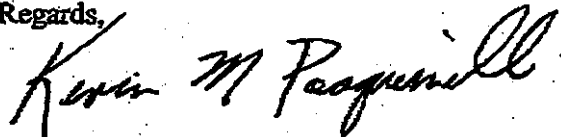
1. Bates ranges SITES006573-6668 and SITES006675-6999 are missing. These numbers were skipped. There are no corresponding documents.
2. You were unable to print SITES005483-5516. Indeed this file proved hazardous for me to print. I have subsequently found a way to remove the security restriction that was preventing printing. The updated file will be produced on the CD with the emails and attachments.
3. SITES006221-6268 was used twice. I have only uncovered a single entry in for this range. The file is named Hewlett Packard 12-4pdf.pdf. If there is another file with these Bates codes please let me know. If you wish to use them as evidence I will renumber them.
4. SITES006269-6316 was used three times. I have only uncovered duplicate entries for these codes in the following files:

File	Bates Codes	Remedy
HP 8-51 pdf.pdf (pp 1-22)	6269-6290	No change
HP 8-52 pdf.pdf (pp 1-26)	6291-6316	No change
HP 12-4 (pp 49-97)	6269-6316	Renumbered to 50,884 to 50,931

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Page 5

As previously mentioned, we will contact you to schedule a meet and confer meeting soon upon the return of Mr. Mount.

Regards,

A handwritten signature in black ink, reading "Kevin M. Pasquinelli". The signature is written in a cursive, flowing style with a large, prominent "K" and "P".

Kevin M. Pasquinelli
Attorney for Defendants

EXHIBIT E

From: Kevin M. Pasquinelli [mailto:kpasquinelli@MOUNT.com]

Sent: Thursday, September 27, 2007 5:40 PM

To: Donald P Gagliardi

Cc: Daniel S. Mount; Daniel H. Fingerman; Kevin M. Pasquinelli

Subject: FW: Action Items from Yesterday's Meeting

Don,

As per our phone call moments ago. Please let me know if you agree with this understanding.

1. The following documents have been inadvertently produced that should be protected under attorney client privilege.

Bates codes:

2801-2803,

2806-2808,

2809-2810,

2811-2815,

2816-2820,

2821-2837,

2843-2845,

2851-2853,

1585-1587,

1742-1743

Please delete these bates codes immediately and do not review. We intended no waiver by such a production but was an unfortunate oversight due to the pressure of a compressed schedule and broad discovery requests. This list is not necessarily exhaustive, but I am unaware of any other communications between Defendants in this case and their attorneys that have been produced. If such exists, it is an oversight and we ask that you delete it immediately.

2. Attached is a privilege log which outlines each of the communications protected under a privilege as per FRCP 26. This log includes the above files and many others from prior productions. It does not include any privileged documents withheld from today's production, as per my email below. The updated privilege log will be sent subsequently.
3. Rather than make motions concerning this inadvertent production and privilege log and the relevancy of STS patents to the existing dispute we agree to disclose STS patent applications by next Tuesday, October 2nd, 2007 in exchange for Verigy's commitment not to file a motion concerning any waiver of privileges related to inadvertent disclosure of the documents or lack of a prior disclosure of the privilege log.

Please email confirming agreement with the aforementioned.

Thanks,

Kevin

From: Kevin M. Pasquinelli

Sent: Thursday, September 27, 2007 1:00 PM

To: Donald P Gagliardi

Cc: Mindy Morton; John Fowler; Daniel S. Mount; Michelle McManus; Daniel H. Fingerman; Kevin M. Pasquinelli

Subject: Action Items from Yesterday's Meeting

Don, Mindy, Jay:

As per our discussion yesterday, here is a status of where we are at:

1. Production of emails with attachments. The CD is ready. You can have someone come by and pick it up this afternoon or tomorrow. If not picked up by tomorrow afternoon, I'll drop in the mail.
2. Other email accounts:
 - a. Romi.mayder@yahoo.com: I will produce documents. I will formally respond. There is little if anything here.
 - b. Wes Mayder emails: I will have Wes send me his email communications with Romi to myself and I will produce.
 - c. Mrs. Mayder's email address. I have actually included these documents on the CD of #1 above.
 - d. Network solutions emails: I will check this account and will produce.
3. I will discuss obtaining the file wrapper of the first STS patent with David Schneck.
4. I will update the RFP responses regarding #10, #24.
5. Confidentiality Markings:
 - a. I will reduce the privilege level on the datasheets from Highly Confidential to Confidential.
 - b. I will speak with Mr. Mayder about reducing the confidentiality level in the lab notebook.
 - c. I will review the confidentiality markings over the next month and change as appropriate by Oct 25th. Before that time Verigy may request a reduction in level and I will approve if appropriate.
6. Inadvertent Production, Privilege Log and disclosure of patent documents. I think we have an agreement on this but will communicate with Don separately to ensure such and make sure we write down what we have agreed to.
7. "Bit for Bit" copy of the disk drive #17: Unfortunately, Mr. Mayder is not open to producing his disk drives. We have discussed the situation in detail with him as of this morning. He has very clearly instructed us to negotiate other less evasive solutions or allow the court to decide. Therefore, I am open to suggestions or proposals that you may have. If you decide to make a motion regarding this discovery request, please confirm that the schedule discussed yesterday will work for you or please suggest an alternative.

Details of Production:

Emails with attachments immediately following as per the RFPs. Bates numbers 50,201 to 50,864.

Renumbering of the HP12-4 filed from Bates codes 6269-6316 renumbered to 50,865 to 50,912.

Production of Andreia Mayder's yahoo email account as per the RFPs. Bates number 50,913 to 50,920.

Kevin

Kevin Pasquinelli, Esq.

Mount & Stoelker P.C.
RiverPark Tower, Suite 1650
333 W San Carlos
San Jose, CA 95110
Tel: (408) 279-7000 x1126
Fax: (408) 998-1473
e-mail: kpasquinelli@mount.com

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify Mount & Stoelker, P.C. at (408) 279-7000 and permanently delete the original and any copy of any e-mail and any printout thereof.

STS Protected Documents

Filename	Sender/Recipient	Subject Matter	Date	Type of Document	Privilege Asserted
107965.html	Romi Mayder to Daniel Hanley	LLC Formation	12/19/06	Email Protected	Attorney Client Privilege
107998.html	Romi Mayder to Dave Schneck	Provisional for Patent	1/17/07	Email	Attorney Client Privilege
108002.html	Dave Schneck to Romi Mayder	Non-Disclosure Agreement with Honeywell	1/18/07	Email	Attorney Client Privilege
108116.html	Romi Mayder to Daniel Hanley	Operating Agreement	9/28/06	Email	Attorney Client Privilege
108646.html	Romi Mayder to Tom Schneck and Dave Schneck, cc to Robert Pochowski	1st Utility Patent for STS	11/6/08	Email	Attorney Client Privilege
108696.html	Romi Mayder to Dave Schneck and Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Email	Attorney Client Privilege
108790.html	Romi Mayder to Dave Schneck and Tom Schneck	Power of Attorney for STS-001	11/25/06	Email	Attorney Client Privilege
108833.doc	Patent application	Description of a Universal Application Specific Integrated	Undated	Entire document is protected.	Attorney Client Privilege. Attorney work product.

STS Protected Documents

108967.html	Romi Mayder to Robert Pochowski with Scheer attachment	Circuit	12/8/06	Scheer attachment protected.	Attorney Client Privilege
108968.html	Romi Mayder to Robert Pochowski with Scheer attachment	Operating Agreement	12/9/06	Scheer attachment protected.	Attorney Client Privilege
108982.html	Romi Mayder to Robert Pochowski with Scheer attachment	STS Operating Agreement	12/11/06	Scheer attachment protected.	Attorney Client Privilege
109031.html	Romi Mayder to tom@patentvalley.com, Dave Schneck and Bradley Scheer	NDA with Honeywell	12/17/06	Email is protected	Attorney Client Privilege
109091.doc	Patent application	Description of a Universal Application Specific Integrated Circuit	Undated	Entire document is protected.	Attorney Client Privilege. Attorney work product.
109269.html	Romi Mayder to Dave Schneck, cc to Tom Scheck and Bradley Scheer	Patents	1/11/07	Email is protected	Attorney Client Privilege
109350.html	Romi Mayder to Dave Schneck	Bob's demand letter and another Patent Disclosure	1/17/07	Email is protected	Attorney Client Privilege
109360.html	Romi Mayder to Dave Schneck	Non-Disclosure	1/17/07	Email is protected	Attorney Client Privilege

STS Protected Documents

		Agreement with Honeywell			
109361.html	Romi Mayder to Dave Schneck	Bob's demand letter and another Patent Disclosure	1/17/07	Email is protected	Attorney Client Privilege
109362.html	Romi Mayder to Dave Schneck	Provisional for Patent	1/17/07	Email is protected	Attorney Client Privilege
109365.html	Romi Mayder to Dave Schneck	Non-Disclosure Agreement with Honeywell	1/18/07	Email is protected	Attorney Client Privilege
109367.html	Romi Mayder to Dave Schneck	Non-Disclosure Agreement with Honeywell	1/18/07	Email is protected	Attorney Client Privilege
109399.html	Romi Mayder to Dave Schneck	Anything New	1/25/07	Email is protected	Attorney Client Privilege
109625.html	Romi Mayder to Daniel Hanley	Latest from H. Flick	2/20/07	Email is protected	Attorney Client Privilege
109652.html	Romi Mayder to David Schneck	Settlement Proposal with Bob	2/21/07	Email is protected	Attorney Client Privilege
109666.html	Romi Mayder to David Schneck	Upgrade	2/21/07	Email is protected	Attorney Client Privilege
109946.html	Romi Mayder to Dave	Our Next	3/21/07	Email is protected	Attorney Client Privilege

STS Protected Documents

	Schneck and Bradley Scheer	Letter to Heather			Privilege
1101.60.html	Daniel Hanley to Romi Mayder	Operating Agreement	9/28/06	Email is protected.	Attorney Client Privilege
110169.html	Daniel Hanley to Romi Mayder	Operating Agreement	9/29/06	Email is protected	Attorney Client Privilege
110197.txt	Notepad Entry re E-mail to Tom Schneck	E-mail Delayed	11/6/06	Entry is protected.	Attorney Client Privilege
110198.html	Romi Mayder to Dave Schneck and Bradley Scheer, cc Pochowski	Patent application	11/6/06	Email is protected.	Attorney Client Privilege
110201.txt	Notepad Entry re E-mail to Dave Schneck	E-mail Delayed	11/6/06	Entire Document is Protected	Attorney Client Privilege
110202.html	Romi Mayder to Dave Schneck and Bradley Scheer, cc Pochowski	Patent application	11/6/06	Email is protected.	Attorney Client Privilege
110206.html	Dave Schneck to Romi Mayder, cc to Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Email is protected.	Attorney Client Privilege
110207.html	Dave Schneck to Romi Mayder	e-mail resend: assignment advice	11/29/06	Email is protected.	Attorney Client Privilege
110208.txt		Description of a Universal Application Specific Integrated Circuit			Attorney Client Privilege
110237.txt	David Schneck to Robert Pochowski	Patent Application	12/14/06	Email is protected.	Attorney Client Privilege

STS Protected Documents

		entitled A Universal Application Specific Integrated Circuit			
110246.html	Daniel Hanley to Romi Mayder	LLC Formation	12/19/06	Email is protected.	Attorney Client Privilege
110251.html	David Schneck to Romi Mayder	Bob's demand letter	1/17/07	Email is protected.	Attorney Client Privilege
110252.html	Romi Mayder to Dave Schneck	Bob's demand letter and another Patent Disclosure	1/17/07	Email is protected.	Attorney Client Privilege
110253.html	Dave Schneck to Romi Mayder	Non-Disclosure Agreement with Honeywell	1/18/07	Email is protected.	Attorney Client Privilege
110254.html	Dave Schneck to Romi Mayder	Non-Disclosure Agreement with Honeywell	1/18/07	Email is protected.	Attorney Client Privilege
110256.html	Dave Schneck to Romi Mayder	Resource Enhancement Probe Card - Budgetary Pricing	1/22/07	Email is protected.	Attorney Client Privilege

STS Protected Documents

111455.html	Robert Pochowski to Romi Mayder with Scheer attachment.	Utility Patent Application	12/8/06	Scheer Attachment protected.	Attorney Client Privilege
111456.html	Robert Pochowski to Romi Mayder with Scheer attachment.	Operating Agreement	12/11/06	Scheer Attachment protected.	Attorney Client Privilege
111457.html	Robert Pochowski to Romi Mayder with Scheer attachment.	STS Operating Agreement	12/11/06	Scheer Attachment protected.	Attorney Client Privilege
111458.html	Robert Pochowski to Romi Mayder with Scheer attachment.	STS Operating Agreement	12/11/06	Scheer Attachment protected.	Attorney Client Privilege
124651.doc	Patent application	Description of a Universal Application Specific Integrated Circuit	Undated	Entire document is protected.	Attorney Client Privilege Attorney work product.
176767.doc	David Schneck to Robert Pochowski	Patent Application entitled A Universal Application Specific Integrated Circuit	12/14/06	Entire letter is Protected	Attorney Client Privilege
176777.doc	David Schneck to Robert Pochowski	Patent Application entitled A Universal Application	12/14/06	Entire letter is Protected	Attorney Client Privilege

STS Protected Documents

		Specific Integrated Circuit			
33287.html	Robert Pochowski to Heather Flick and Romi Mayder	Call	9/26/06	Entire Document is Protected	Attorney Client Privilege
33294.html	Robert Pochowski to Romi Mayder with Flick Attachment	Call	9/27/06	Flick Attachment Protected	Attorney Client Privilege
33295.html	Robert Pochowski to Romi Mayder with Flick Attachment	Call	9/27/06	Flick attachment protected.	Attorney Client Privilege
33757.html	Romi Mayder to Dave Schneck	Resource Enhancement Probe Card - Budgetary Pricing	1/22/07	Email is Protected	Attorney Client Privilege
33788.html	Robert Pochowski to Tom Schneck, cc to Romi Mayder	Provisional	9/27/06	Email Document is Protected	Attorney Client Privilege
33794.html	Romi Mayder to Robert Pochowski and Tom Schneck	Provisional	9/29/06	Email Document is Protected	Attorney Client Privilege
33800.html	Romi Mayder to Robert Pochowski with Flick Attachment	Call	9/27/06	Flick attachment is protected.	Attorney Client Privilege
33802.html	Romi Mayder to Robert Pochowski with Flick Attachment	Call	9/27/06	Flick attachment is protected.	Attorney Client Privilege
33836.html	Romi Mayder to Daniel	Operating	9/28/06	Entire Document is	Attorney Client

STS Protected Documents

	Agreement		Protected	Privilege
33851.html	Call	9/27/06	Entire Document is Protected	Attorney Client Privilege
40471.html	Provisional	9/29/06	Entire Document is Protected	Attorney Client Privilege
40477.html	Call	9/27/06	Entire Document is Protected	Attorney Client Privilege
40479.html	Call	9/27/06	Entire Document is Protected	Attorney Client Privilege
40515.html	Operating Agreement	9/28/06	Entire Document is Protected	Attorney Client Privilege
60168.html	Provisional	9/27/06	Entire Document is Protected	Attorney Client Privilege
60170.html	Answers to your Questions	9/21/06	Entire Document is Protected	Attorney Client Privilege
60172.html	Call	9/27/06	Entire Document is Protected	Attorney Client Privilege
60174.html	Call	9/27/06	Entire Document is Protected	Attorney Client Privilege
82293.html	Call	9/28/06	Entire Document is Protected	Attorney Client Privilege
82823.html	1st Utility	11/6/06	Entire Document is Protected	Attorney Client Privilege

STS Protected Documents

	Schneck and David Schneck, cc to Robert Pochowski	Patent for STS		Protected	Privilege
82873.html	Romi Mayder to David Schneck and Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Entire Document is Protected	Attorney Client Privilege
82967.html	Romi Mayder to Tom Schneck and David Schneck	Power of Attorney for STS-001	11/25/06	Entire Document is Protected	Attorney Client Privilege
83010.doc	Patent application	Description of a Universal Application Specific Integrated Circuit	undated	Entire Document is Protected	Attorney Client Privilege Attorney work product.
83144.html	Romi Mayder to Robert Pochowski with Scheer Attachment	Utility Patent Application	12/8/06	Scheer Attachment is protected.	Attorney Client Privilege
83145.html	Romi Mayder to Robert Pochowski with Scheer Attachment	Operating Agreement	12/9/06	Scheer Attachment is protected.	Attorney Client Privilege
83159.html	Romi Mayder to Robert Pochowski with Scheer Attachment	STS Operating Agreement	12/11/06	Scheer Attachment is protected.	Attorney Client Privilege
83208.html	Romi Mayder to Tom Schneck, Dave Schneck and Bradley Scheer	NDA with Honeywell	12/17/06	Entire Document is Protected	Attorney Client Privilege
83269.doc	Patent application	Description of a Universal	undated	Entire Document is Protected	Attorney Client Privilege

STS Protected Documents

		Application Specific Integrated Circuit			Attorney Work Product.
83446.html	Romi Mayder to David Schneck, cc to Tom Schneck and Bradley Scheer	Patents	1/11/07	Entire email is Protected	Attorney Client Privilege
83526.doc	Patent disclosure.	Patent Disclosure	1/17/07	Entire email is Protected	Attorney Client Privilege Attorney Work Product
83527.html	Romi Mayder to David Schneck	Bob's demand letter and another Patent Disclosure	1/17/07	Entire email is Protected	Attorney Client Privilege
83537.html	Romi Mayder to David Schneck	Non-Disclosure Agreement with Honeywell	1/17/07	Entire email is Protected	Attorney Client Privilege
83538.html	Romi Mayder to David Schneck	Bob's demand letter and another Patent Disclosure	1/17/07	Entire email is Protected	Attorney Client Privilege
83539.html	Romi Mayder to David Schneck	Provisional for Patent	1/17/07	Entire email is Protected	Attorney Client Privilege
83542.html	Romi Mayder to David Schneck	Non-Disclosure Agreement	1/18/07	Entire email is Protected	Attorney Client Privilege

STS Protected Documents

		with Honeywell			
83544.html	Romi Mayder to David Schneck	Non-Disclosure Agreement with Honeywell	1/18/07	Entire email is Protected	Attorney Client Privilege
83576.html	Romi Mayder to David Schneck	Anything New	1/25/07	Entire Document is Protected	Attorney Client Privilege
83802.html	Romi Mayder to Daniel Hanley	Latest from H. Flick	2/20/07	Entire email is Protected	Attorney Client Privilege
83854.html	Romi Mayder to Richard Foster with Schneck Attachment	Settlement Proposal with Bob	2/23/07	Schneck attachment protected	Attorney Client Privilege
84123.html	Romi Mayder to David Schneck and Bradley Scher	Our Next Letter to Heather	3/21/07	Entire email is Protected	Attorney Client Privilege
85174	Email Romi to David Schneck	Letter from Verigy	7/10/2007	Entire email is protected	Attorney client privilege
85149.html	Romi Mayder to David Schneck and Bradley Scher	A few items to add to the reply letter	7/8/07	Entire email is Protected	Attorney Client Privilege
85178.html	Email Romi to Dave Schneck	Regarding incorporation of STS.	7/10/07	Entire email is protected	Attorney Client Privilege
85180.html	Romi Mayder to David Schneck, cc to Tom Schneck	Letter to TSE Korea And clarifications	7/11/07	Entire email is Protected	Attorney Client Privilege

STS Protected Documents

85184.html	Email Romi to Kevin Pasquelli	Meeting time for negotiations	7/16/2007	Entire email is protected.	Attorney Client Privilege
85196.html	Email from Mayder to Pasquelli	Commenting on agenda for negotiations	7/18/2007	Entire email is protected	Attorney Client Privilege
85199.html	Email from Mayder to Pasquelli	Trying to call into conference call.	7/19/2007	Entire email is protected.	Attorney Client Privilege
85200.html	Email from Mayder to Pasquelli	Trying to call into conference.	7/29/2007	Entire email is protected.	Attorney Client Privilege
85207.html	Email from Mayder to Pasquelli	Negotiations	7/20/2007	Entire email is protected	Attorney Client Privilege
85210.html	Email from Mayder to Pasquelli	Negotiations	7/24/2007	Entire email is protected	Attorney Client Privilege
851286.html	Email from Mayder to Kevin Pasquelli	Re: meeting agenda time	7/17/2007	Entire email is protected	Attorney Client Privilege
85441.html	Daniel Hanley to Romi Mayder	Operating Agreement	9/28/06	Entire email is Protected	Attorney Client Privilege
85450.html	Daniel Hanley to Romi Mayder	Operating Agreement	9/29/06	Entire email is Protected	Attorney Client Privilege
85479.html	Romi Mayder to Schneek and Schneek	Utility Patent	11/7/06	Entire email is Protected	Attorney Client Privilege
85483.html	Romi Mayder to Schneek and Schneek	Utility Patent	11/7/06	Entire email is Protected	Attorney Client Privilege
85487.html	David Schneek to Romi Mayder, cc to Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Entire Document is Protected	Attorney Client Privilege

STS Protected Documents

85488.html	David Schneck to Romi Mayder	e-mail resend: assignment advice	11/29/06	Entire Document is Protected	Attorney Client Privilege
85489.doc	Patent Application	Description of a Universal Application Specific Integrated Circuit	undated	Entire Document is Protected	Attorney Client Privilege
85518.doc	David Schneck to Robert Pochowski	Patent Application entitled A Universal Application Specific Integrated Circuit	12/14/06	Entire Document is Protected	Attorney Client Privilege
85527.html	Daniel Hanley to Romi Mayder	LLC Formation	12/19/06	Entire email is Protected	Attorney Client Privilege
85532.html	David Schneck to Romi Mayder	Bob's demand letter	1/17/07	Entire email is Protected	Attorney Client Privilege
85533.html	Romi Mayder to David Schneck	Bob's demand letter and another Patent Disclosure	1/17/07	Entire email is Protected	Attorney Client Privilege
85534.html	David Schneck to Romi Mayder	Non-Disclosure Agreement with	1/18/07	Entire email is Protected	Attorney Client Privilege

STS Protected Documents

85535.html	David Schneck to Romi Mayder	Honeywell	1/18/07	Entire email is Protected	Attorney Client Privilege
85537.html	David Schneck to Romi Mayder	Non-Disclosure Agreement with Honeywell	1/22/07	Entire email is Protected	Attorney Client Privilege
85588.html	David Schneck to Romi Mayder	Resource Enhancement Probe Card - Budgetary Pricing	4/27/07	Entire email is Protected	Attorney Client Privilege
85634.html	David Schneck to Romi Mayder	Bob Pochowski. Letter to TSE Korea	7/11/07	Entire email is Protected	Attorney Client Privilege
83843.html	Mayder to Dave Schneck	Email regarding	2/21/2007	Entire email is protected.	
95446.doc	Patent Application	Description of a Universal Application Specific Integrated Circuit	Undated	Entire Document is Protected	Attorney Client Privilege Attorney Work Product.
96569.doc	Patent Application	Description of a Universal Application Specific Integrated Circuit	Undated	Entire Document is Protected	Attorney Client Privilege Attorney Work Product.
108002.html	David Schneck to Romi	Non-	1/18/07	Entire email is	Attorney Client

STS Protected Documents

	Mayder	Disclosure Agreement with Honeywell		Protected	Privilege
108019.html	David Schneck to Romi Mayder, cc to Bradley Scheer	STS-001	2/12/07	Entire email is Protected	Attorney Client Privilege
108045.html	David Schneck to Romi Mayder	Trademarks for STS Technology	2/27/07	Entire email is Protected	Attorney Client Privilege
108076.html	David Schneck to Romi Mayder	sts001	3/15/07	Entire email is Protected	Attorney Client Privilege
108843.pdf	Bradley Scheer to Romi Mayder	Patent Application entitled A Universal Application Specific Integrated Circuit	11/30/06	Entire letter is protected.	Attorney Client Privilege
110191.html	David Schneck to Romi Mayder, cc to Tom Schneck	Another Provisional Patent	10/23/06	Entire email is Protected	Attorney Client Privilege
110192.html	David Schneck to Romi Mayder	Another Provisional Patent	10/23/06	Entire email is Protected	Attorney Client Privilege
110193.html	David Schneck to Romi Mayder	A 3rd Provisional Patent for STS	10/24/06	Entire email is Protected	Attorney Client Privilege
110194.html	David Schneck to Romi	A 3rd	10/24/06	Entire email is	Attorney Client

STS Protected Documents

	Mayder, cc to Bradley Scheer and Merle Garcia	Provisional Patent for STS		Protected	Privilege
110195.html	David Schneek to Romi Mayder	A 3rd Provisional Patent for STS	10/24/06	Entire email is Protected	Attorney Client Privilege
110196.html	David Schneek to Romi Mayder	4th Provisional patent for STS	10/27/06	Entire email is Protected	Attorney Client Privilege
110205.html	David Schneek to Romi Mayder and Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Entire email is Protected	Attorney Client Privilege
110206.html	David Schneek to Romi Mayder, cc to Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Entire email is Protected	Attorney Client Privilege
110218.pdf	Bradley Scheer to Romi Mayder	Patent Application entitled A Universal Application Specific Integrated Circuit	11/30/06	Entire letter is protected.	Attorney Client Privilege
110221.html	David Schneek to Romi Mayder and Bradley Scheer	Utility Patent STS-001	12/8/06	Entire email is Protected	Attorney Client Privilege
110222.html	Bradley Scheer to David Schneek and Romi Mayder	Power of Attorney Question Again	12/11/06	Entire email is Protected	Attorney Client Privilege

STS Protected Documents

110225.html	David Schneck to Daniel Hanley and Romi Mayder	Silicon Test Solutions	12/12/06	Entire email is Protected	Attorney Client Privilege
110226.html	David Schneck to Romi Mayder	Silicon Test Solutions	12/12/06	Entire email is Protected	Attorney Client Privilege
110227.html	David Schneck to Romi Mayder, Daniel Hanley and Tom Schneck	Silicon Test Solutions	12/13/06	Entire email is Protected	Attorney Client Privilege
110237.html	David Schneck to Robert Pochowski	Patent Application entitled A Universal Application Specific Integrated Circuit	12/14/06	Entire Document is Protected	Attorney Client Privilege
110238.html	David Schneck to Romi Mayder, cc to Daniel Hanley and Tom Schneck	Letter to Bob re:patent	12/15/06	Entire email is Protected	Attorney Client Privilege
110245.html	David Schneck to Romi Mayder	Letter to Bob re: patent	12/15/06	Entire email is Protected	Attorney Client Privilege
110247.html	David Schneck to Romi Mayder, cc to Bradley Scheer, Tom Schneck	Patents	1/11/07	Entire email is Protected	Attorney Client Privilege
110248.html	David Schneck to Romi Mayder	Another Patent Application for Silicon Test Systems	1/11/07	Entire email is Protected	Attorney Client Privilege
110249.html	David Schneck to Romi	Publication for	1/17/07	Entire email is	Attorney Client

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	Mayder, cc to Bradley Scheer	our Patent STS-001		Protected	Privilege
110251.html	David Schneck to Romi Mayder	Bob's demand letter	1/17/07	Entire email is Protected	Attorney Client Privilege
110253.html	David Schneck to Romi Mayder	Non-Disclosure Agreement with Honeywell	1/18/07	Entire email is Protected	Attorney Client Privilege
110254.html	David Schneck to Romi Mayder	Non-Disclosure Agreement with Honeywell	1/18/07	Entire email is Protected	Attorney Client Privilege
110255.html	Bradley Scheer to Romi Mayder	STS-003	1/22/07	Entire email is Protected	Attorney Client Privilege
110256.html	David Schneck to Romi Mayder	Resource Enhancement Probe Card - Budgetary Pricing	1/22/07	Entire email is Protected	Attorney Client Privilege
110258.html	David Schneck to Romi Mayder	Letter to Bob's Attorney	1/22/07	Entire email is Protected	Attorney Client Privilege
110259.html	Bradley Scheer to Romi Mayder	STS-003	1/22/07	Entire email is Protected	Attorney Client Privilege
110260.html	David Schneck to Romi Mayder	Anything New?	1/26/07	Entire email is Protected	Attorney Client Privilege
110261.html	Bradley Scheer to Romi Mayder	Electronic Version of the Provisional	1/26/07	Entire email is Protected	Attorney Client Privilege

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		that you didn't get			
110262.html	David Schneck to Romi Mayder	Anything New?	1/26/07	Entire email is Protected	Attorney Client Privilege
110264.html	David Schneck to Romi Mayder, cc to Tom Schneck	Heather Flick letter	2/9/07	Entire email is Protected	Attorney Client Privilege
110265.html	Bradley Scheer to Romi Mayder	Improve Block Diagram	2/13/07	Entire email is Protected	Attorney Client Privilege
110267.html	David Schneck to Romi Mayder	Latest from H. Flick	2/20/07	Entire email is Protected	Attorney Client Privilege
110268.html	Bradley Scheer to Romi Mayder	STS-002 Draft Utility Application	2/20/07	Entire email is Protected	Attorney Client Privilege
110270.html	David Schneck to Romi Mayder	Flick draft response	2/21/07	Entire email is Protected	Attorney Client Privilege
110271.html	David Schneck to Romi Mayder	Flick draft response	2/23/07	Entire email is Protected	Attorney Client Privilege
110273.html	David Schneck to Romi Mayder	letter update	2/23/07	Entire email is Protected	Attorney Client Privilege
110274.html	Bradley Scheer to Romi Mayder	STS-005	2/23/07	Entire email is Protected	Attorney Client Privilege
110275.html	David Schneck to Romi Mayder	Trademarks for STS Technology	2/26/07	Entire email is Protected	Attorney Client Privilege
110276.html	Bradley Scheer to Romi Mayder	STS-004	3/2/07	Entire email is Protected	Attorney Client Privilege
110277.html	Bradley Scheer to Romi Mayder	STS-006	3/8/07	Entire email is Protected	Attorney Client Privilege
110278.html	David Schneck to Romi Mayder	Threat from	3/9/07	Entire email is Protected	Attorney Client Privilege

STS Protected Documents

	Mayder, cc to Bradley Scheer	Formfactor Inc.		Protected	Privilege
110279.html	David Schneck to Romi Mayder, cc to Bradley Scheer	sts001	3/14/07	Entire email is Protected	Attorney Client Privilege
110280.html	Bradley Scheer to Romi Mayder, cc to David Schneck	A few Items for our next letter	3/17/07	Entire email is Protected	Attorney Client Privilege
110281.doc	Patent Application	Description of High Impedance, High Parallelism, High Temperature Memory Test System Architecture	undated	Entire Document is Protected	Attorney Client Privilege Attorney Work Product
110282.html	Bradley Scheer to Romi Mayder	STS-006	3/19/07	Entire email is Protected	Attorney Client Privilege
110289.html	David Schneck to Romi Mayder and Bradley Scheer	Our Next Letter to Heather	3/21/07	Entire email is Protected	Attorney Client Privilege
110290.html	David Schneck to Romi Mayder and Bradley Scheer	Another Proposed meeting with the VP of Marketing from FormfactorInc.	3/22/07	Entire email is Protected	Attorney Client Privilege

STS Protected Documents

33279.html	Tom Schneck to Robert Pochowski, cc to Merle Garcia and Romi Mayder	Provisional	9/25/06	Entire email is Protected	Attorney Client Privilege
82219.html	David Schneck to Romi Mayder	Latest Letter	7/10/07	Entire email is Protected	Attorney Client Privilege
83020.pdf	Bradley Scheer to Romi Mayder	Patent Application entitled A Universal Application Specific Integrated Circuit	11/30/06	Entire letter is Protected	Attorney Client Privilege
85472.html	David Schneck to Romi Mayder, cc to Tom Schneck	Another Provisional Patent	10/23/06	Entire email is Protected	Attorney Client Privilege
85473.html	David Schneck to Romi Mayder	Another Provisional Patent	10/23/06	Entire email is Protected	Attorney Client Privilege
85474.html	David Schneck to Romi Mayder	A 3rd Provisional Patent for STS	10/24/06	Entire email is Protected	Attorney Client Privilege
85475.html	David Schneck to Romi Mayder, cc to Bradley Scheer and Merle Garcia	A 3rd Provisional Patent for STS	10/24/06	Entire email is Protected	Attorney Client Privilege
85476.html	David Schneck to Romi Mayder	A 3rd Provisional Patent for STS	10/24/06	Entire email is Protected	Attorney Client Privilege

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85477.html	David Schneck to Romi Mayder	4th Provisional patent for STS	10/27/06	Entire email is Protected	Attorney Client Privilege
85486.html	David Schneck to Romi Mayder and Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Entire email is Protected	Attorney Client Privilege
85487.html	David Schneck to Romi Mayder, cc to Bradley Scheer	Data Sheet for the Picasso ASIC	11/9/06	Entire email is Protected	Attorney Client Privilege
85499.pdf	Bradley Scheer to Romi Mayder	Patent Application entitled A Universal Application Specific Integrated Circuit	11/30/06	Entire letter is Protected	Attorney Client Privilege
85502.html	David Schneck to Romi Mayder and Bradley Scheer	Utility Patent STS-001	12/8/06	Entire email is Protected	Attorney Client Privilege
85503.html	Bradley Scheer to Romi Mayder and David Schneck	Power of Attorney Question Again	12/11/06	Entire email is Protected	Attorney Client Privilege
85506.html	David Schneck to Daniel Hanley and Romi Mayder	Silicon Test Solutions	12/12/06	Entire email is Protected	Attorney Client Privilege
85507.html	David Schneck to Romi Mayder	Silicon Test Solutions	12/12/06	Entire email is Protected	Attorney Client Privilege
85508.html	David Schneck to Romi Mayder	Silicon Test Solutions	12/13/06	Entire email is Protected	Attorney Client Privilege

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	Mayder, Daniel Hanley and Tom Schneck	Solutions		Protected	Privilege
85518.doc	David Schneck to Robert Pochowski	Patent Application entitled A Universal Application Specific Integrated Circuit	12/14/06	Entire email is Protected	Attorney Client Privilege
85519.html	David Schneck to Romi Mayder, cc to Daniel Hanley and Tom Schneck	Letter to Bob re:patent	12/15/06	Entire email is Protected	Attorney Client Privilege
85526.html	David Schneck to Romi Mayder	Letter to Bob re:patent	12/15/06	Entire email is Protected	Attorney Client Privilege
85528.html	David Schneck to Romi Mayder, cc to Bradley Scheer and Tom Schneck	Patents	1/11/07	Entire email is Protected	Attorney Client Privilege
85529.html	David Schneck to Romi Mayder	Another Patent Application for Silicon Test Systems	1/11/07	Entire email is Protected	Attorney Client Privilege
85530.html	David Schneck to Romi Mayder, cc to Bradley Scheer	Publication for our Patent STS-001	1/17/07	Entire email is Protected	Attorney Client Privilege
85532.html	David Schneck to Romi Mayder	Bob's demand letter	1/17/07	Entire email is Protected	Attorney Client Privilege
85534.html	David Schneck to Romi	Non-	1/18/07	Entire email is	Attorney Client

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	Mayder	Disclosure Agreement with Honeywell		Protected	Privilege
85535.html	David Schneck to Romi Mayder	Non-Disclosure Agreement with Honeywell	1/18/07	Entire email is Protected	Attorney Client Privilege
85536.html	Bradley Scheer to Romi Mayder	STS-003	1/22/07	Entire email is Protected	Attorney Client Privilege
85537.html	David Schneck to Romi Mayder	Resource Enhancement Probe Card - Budgetary Pricing	1/22/07	Entire email is Protected	Attorney Client Privilege
85539.html	David Schneck to Romi Mayder	Letter to Bob's Attorney	1/22/07	Entire email is Protected	Attorney Client Privilege
85540.html	Bradley Scheer to Romi Mayder	STS-003	1/22/07	Entire email is Protected	Attorney Client Privilege
85541.html	David Schneck to Romi Mayder	Anything New?	1/26/07	Entire email is Protected	Attorney Client Privilege
85542.html	Bradley Scheer to Romi Mayder	Electronic Version of the Provisional that you didn't get	1/26/07	Entire email is Protected	Attorney Client Privilege
85543.html	David Schneck to Romi Mayder	Anything New?	1/26/07	Entire email is Protected	Attorney Client Privilege
85545.html	David Schneck to Romi Mayder	Heather Flick	2/9/07	Entire email is	Attorney Client

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	Mayder, cc to Tom Schneck	letter		Protected	Privilege
85546.html	Bradley Scheer to Romi Mayder	Improve Block Diagram	2/13/07	Entire email is Protected	Attorney Client Privilege
85548.html	David Schneck to Romi Mayder	Latest from H. Flick	2/20/07	Entire email is Protected	Attorney Client Privilege
85549.html	Bradley Scheer to Romi Mayder	STS-002 Draft Utility Application	2/20/07	Entire email is Protected	Attorney Client Privilege
85551.html	David Schneck to Romi Mayder	Flick draft response	2/21/07	Entire email is Protected	Attorney Client Privilege
85552.html	David Schneck to Romi Mayder	Flick draft response	2/23/07	Entire email is Protected	Attorney Client Privilege
85554.html	David Schneck to Romi Mayder	letter update	2/23/07	Entire email is Protected	Attorney Client Privilege
85555.html	Bradley Scheer to Romi Mayder	STS-005	2/23/07	Entire email is Protected	Attorney Client Privilege
85556.html	David Schneck to Romi Mayder	Trademarks for STS Technology	2/26/07	Entire email is Protected	Attorney Client Privilege
85557.html	Bradley Scheer to Romi Mayder	STS-004	3/2/07	Entire email is Protected	Attorney Client Privilege
85558.html	Bradley Scheer to Romi Mayder	STS-006	3/8/07	Entire email is Protected	Attorney Client Privilege
85559.html	David Schneck to Romi Mayder, cc to Bradley Scheer	Threat from Formfactor Inc.	3/9/07	Entire email is Protected	Attorney Client Privilege
85560.html	David Schneck to Romi Mayder, cc to Bradley Scheer	sts001	3/14/07	Entire email is Protected	Attorney Client Privilege

STS Protected Documents

85561.html	Bradley Scheer to Romi Mayder, cc to David Schneek	A few Items for our next letter	3/17/07	Entire email is Protected	Attorney Client Privilege
85562.doc	Patent Application	Description of High Impedance, High Parallelism, High Temperature Memory Test System Architecture	undated	Entire Document is Protected	Attorney Client Privilege. Attorney work product.
85563.html	Bradley Scheer to Romi Mayder	STS-006	3/19/97	Entire email is Protected	Attorney Client Privilege
85570.html	David Schneek to Romi Mayder and Bradley Scheer	Our Next Letter to Heather	3/21/07	Entire email is Protected	Attorney Client Privilege
85571.html	David Schneek to Romi Mayder and Bradley Scheer	Another Proposed meeting with the VP of Marketing from FormfactorInc.	3/22/07	Entire email is Protected	Attorney Client Privilege
85572.html	David Schneek to Romi Mayder	Flick letter	3/27/07	Entire email is Protected	Attorney Client Privilege
85573.html	David Schneek to Romi Mayder, cc to Bradley Scheer	Flick letter	3/27/07	Entire email is Protected	Attorney Client Privilege

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85574.html	David Schneck to Romi Mayder	Flick letter	3/27/07	Entire email is Protected	Attorney Client Privilege
85575.html	Bradley Scheer to Romi Mayder, cc to David Schneck	Update to STS—06	3/27/07	Entire email is Protected	Attorney Client Privilege
85576.html	David Schneck to Romi Mayder	Flick letter	3/28/07	Entire email is Protected	Attorney Client Privilege
85578.html	David Schneck to Romi Mayder	sts: flick letter	3/28/07	Entire email is Protected	Attorney Client Privilege
85579.html	David Schneck to Romi Mayder	flick letter	3/28/07	Entire email is Protected	Attorney Client Privilege
85580.pdf	Schneck and Schneck to STS and Romi Mayder	Invoice	3/1/07	Entire email is Protected	Attorney Client Privilege
85581.html	David Schneck to Romi Mayder	STS invoices	3/29/07	Entire email is Protected	Attorney Client Privilege
85582.html	Bradley Scheer to Romi Mayder	Probe Card Provisional Patent	4/23/07	Entire email is Protected	Attorney Client Privilege
85583.html	Bradley Scheer to Romi Mayder	Probe Card Provisional Patent	4/24/07	Entire email is Protected	Attorney Client Privilege
85584.html	Bradley Scheer to Romi Mayder	Probe Card Provisional Patent	4/25/07	Entire email is Protected	Attorney Client Privilege
85585.html	Bradley Scheer to Romi Mayder	Probe Card Provisional Patent	4/26/07	Entire email is Protected	Attorney Client Privilege
85586.html	Bradley Scheer to Romi Mayder	Probe Card Provisional Patent	4/27/07	Entire email is Protected	Attorney Client Privilege

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85588.html	David Schneck to Romi Mayder	Patent Letter to Bob	4/27/07	Entire email is Protected	Attorney Client Privilege
85596.html	David Schneck to Romi Mayder	latest from Flick	4/27/07	Entire email is Protected	Attorney Client Privilege
85598.html	David Schneck to Romi Mayder	latest from Flick	4/27/07	Entire email is Protected	Attorney Client Privilege
85599.html	David Schneck to Romi Mayder	latest from Flick	4/30/07	Entire email is Protected	Attorney Client Privilege
85600.html	David Schneck to Romi Mayder	Proposed Letter to Bob	4/30/07	Entire email is Protected	Attorney Client Privilege
85601.html	Bradley Scheer to Romi Mayder	Magnetic Contact Patent	5/4/07	Entire email is Protected	Attorney Client Privilege
85602.html	Bradley Scheer to Romi Mayder	Tester on a Probe Card	5/29/07	Entire email is Protected	Attorney Client Privilege
85630.html	David Schneck to Romi Mayder	July 10 Letter	7/10/07	Entire email is Protected	Attorney Client Privilege
85631.html	David Schneck to Romi Mayder	July 10 Letter	7/10/07	Entire email is Protected	Attorney Client Privilege
85633.html	David Schneck to Romi Mayder, cc to Tom Schneck	Letter to TSE Korea	7/11/07	Entire email is Protected	Attorney Client Privilege
85634.html	David Schneck to Romi Mayder	Letter to TSE Korea	7/11/07	Entire email is Protected	Attorney Client Privilege
87682.html	David Schneck to Romi Mayder, cc to Bradley Scheer	Flick letter	3/27/07	Entire email is Protected	Attorney Client Privilege
109642.html	Romi to Richard Foster with Schneck attachment	Latest from Flick	2/21/2007	Schneck attachment is protected.	Attorney Client Privilege

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EXHIBIT F

BERGESON, LLP
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September 28, 2007

Via Facsimile

Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
MOUNT & STOELKER PC
River Park Tower, Suite 1650
333 W. San Carlos
San Jose, CA 95110

Re: *Verigy US, Inc. v. Romi Omar Mayder, et al.*
USDC, N. District of Calif., Case No. C07 04330 RMW (HRL)

Dear Messrs. Mount and Pasquinelli:

This letter memorializes our in-person meet and confer session on Wednesday afternoon, September 26, 2007 as well as subsequent communications the following day, September 27.

Present at the September 26 session were both of you, me, and my colleagues, Jay Fowler and Mindy Morton. You agreed to amend, by next Tuesday, October 2, 2007, your responses to Verigy production requests nos. 10 and 24 to clarify that no responsive documents have been produced because none exist to your client's knowledge.

You agreed to amend, by October 2, your response to request no. 17 and to produce bit for bit copies of all hard drives of your clients. You agreed that the production would be in the form of a disk sent to an independent third party expert, who – in order to avoid any disclosure of privileged matter – would in turn segregate and generate a list of communications involving or naming specifically identified attorneys (in effect, a privilege log relating to such material). The remainder of the bit for bit copies would be immediately turned over to our office. We would also have the right to challenge whether the ostensibly privileged communications were in fact privileged. However, in an email the following day, September 27, Mr. Pasquinelli disavowed the agreement:

'Bit for Bit' copy of the disk drive #17: Unfortunately, Mr. [Romi] Mayker is not open to producing his disk drives. We have discussed the situation in detail with him as of this morning. He has very clearly instructed us to negotiate other less evasive solutions or allow the court to

BERGESON, LLP

Daniel S. Mount, Esq.
Kevin M. Pasquinelli, Esq.
September 28, 2007
Page 2

decide. Therefore, I am open to suggestions or proposal that you may have. If you decide to make a motion regarding this discovery request, please confirm that the schedule discussed yesterday will work for you or please suggest an alternative.

This is unfortunate. You have twice agreed to produce bit for bit copies, initially on August 29, 2007 and again in our meet and confer session on September 26. Please ask Mr. Mayder to reconsider his position of renegeing on agreements reached on his behalf by his counsel. Otherwise, as I mentioned in my voicemail to you this morning, we will be required to go forward with a motion to compel.

In our September 26 meeting, we agreed to disagree whether you would produce copies of provisional and utility patents in response to request nos. 22-23. However, the following day, on September 27, Mr. Pasquinelli proposed to me and we agreed in a telephone conversation that you would produce such documents in return for our agreement to return allegedly privileged documents produced by you that you assert were produced inadvertently. We cannot agree, however, to such as procedure as to an email Bates Nos. SITES001585-86, which you contend is privileged. This is an email from Romi Mayder to Richard Foster, who is not an attorney. Therefore, it is not privileged, whether or not you meant to produce it or not. Also, the attachment to SITES001742-43 appears not to be privileged based on the description of it in the ostensibly privileged email from Romi Mayder to his patent counsel, Dave Schneck: the attachment appears to be a presentation made to a potential customer. We have no way of knowing currently whether such attachment has been produced; if not, it needs to be.

In our September 26 meeting, you agreed to provide a CD the next day, September 27, with emails previously produced – but this time together with their attachments immediately following, with new Bates numbers. We understand that this was done and that the CD is available for us for pick-up. You also agreed to produce, by October 2, emails from Wes Mayder. And you agreed to review your designations of all documents produced and to re-designate as appropriate by October 25.

You also agreed to produce documents as reflected in your email to Ms. Morton. and Mr. Fowler of September 27 at 1 pm.

Regards,



Donald P. Gagliardi

DPG:gs

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